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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/647,914
Filing Date	August 26, 2003
First Named Inventor	Brian Aegerter, et al.
Art Unit	1746
Examiner Name	Michail Komakov
Attorney Docket Number	114183-20 (P00-0024US3)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-3891. I have enclosed a duplicate copy of this sheet.

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 790.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Keith V. Rockey</i>	Date	March 28, 2007
Name (Print/Type)	Keith V. Rockey	Registration No.	24,713

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Eileen Madrigal</i>	Date	March 28, 2007
Name (Print/Type)	Eileen Madrigal		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Brian Aegerter, et al.
Application No.: 10/647,914
Conf. No.: 2441
Filed On: August 26, 2003
For: SELECTIVE TREATMENT OF MICROELECTRONIC
WORKPIECE SURFACES
Art Unit: 1746
Examiner: Michail Kornakov
Docket No.: 114183-20 (P00-0024US3)

REPLY TO ADVISORY
ACTION DATED FEBRUARY 2, 2007

Mail Stop RCE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the Advisory Action dated February 2, 2007, there are no amendments to the specification or claims.

REMARKS/ARGUMENTS begin on page 2 of this paper.

Application No. 10/647,914
Response to Advisory Action
Dated February 2, 2007
March 28, 2007

REMARKS/ARGUMENTS

Applicants hereby submit their request for continued examination of the above-identified application. The Examiner is requested to consider and enter the following items previously submitted on January 8, 2007:

Response To Final Office Action Dated October 13, 2006;

Request To Add An Inventor Under 37 C.F.R. § 1.48 And Petition Under § 1.47(a);

Declaration Under 37 C.F.R. §§ 1.48 and 1.131 of Steven L. Peace;

Replacement Declaration And Power Of Attorney; and

Consent By Assignee Under 37 C.F.R. § 1.48(c).

In addition, the Examiner is requested to consider and enter the following items previously submitted on January 10, 2007:

Supplemental Request To Add An Inventor Under 37 C.F.R. § 1.48 And Petition Under § 1.47(a); and

Replacement Declaration And Power Of Attorney.

In the advisory action, it was indicated that the declarations would not be entered. In view of the filing of this RCE, Applicants respectfully request consideration and entry of the foregoing papers along with a determination that Mr. Peace is indeed a co-inventor along with the named inventors.

Application No. 10/647,914
Response to Advisory Action
Dated February 2, 2007
March 28, 2007

Applicants also request that the Examiner accept Mr. Peace's declaration demonstrating prior conception and reduction to practice of the subject matter of these claims. That declaration removes the '865 patent as prior art. Thus, the present application should be deemed allowable and an interference with the '865 patent declared. Such action is respectfully solicited.

Respectfully submitted,



Keith V. Rockey
Registration No. 24,713

Rockey, Depke, Lyons & Kitzinger, LLC
Sears Tower, Suite 5450
233 South Wacker Drive
Chicago, Illinois 60606

March 28, 2007

CERTIFICATE OF MAILING (37 C.F.R. § 1.10)

I hereby certify that this correspondence and/or fee is, on the date shown below, being deposited with the United States Postal Services as Express Mail Post Office to Addressee, EV871552499US, with sufficient postage, March 28, 2007.



Eileen Madrigal